Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant ENTRY NO. 00253782
06/18/2008 11:40:53 AM B: 0524 P: 1528
2477 Road Acceptance PAGE 1 / 13
CRAIG J. SPERRY, JUAB COUNTY RECORDER
FEE \$ 0.00 BY STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Juab County as it pertains to the highway located in Juab County known as DESERT TUNGSTON ROAD; County Road Number: 5120301; State Geographic Information Database (SGID) Road Identification Number: RD121304. Total road length is 3 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 17 day of June

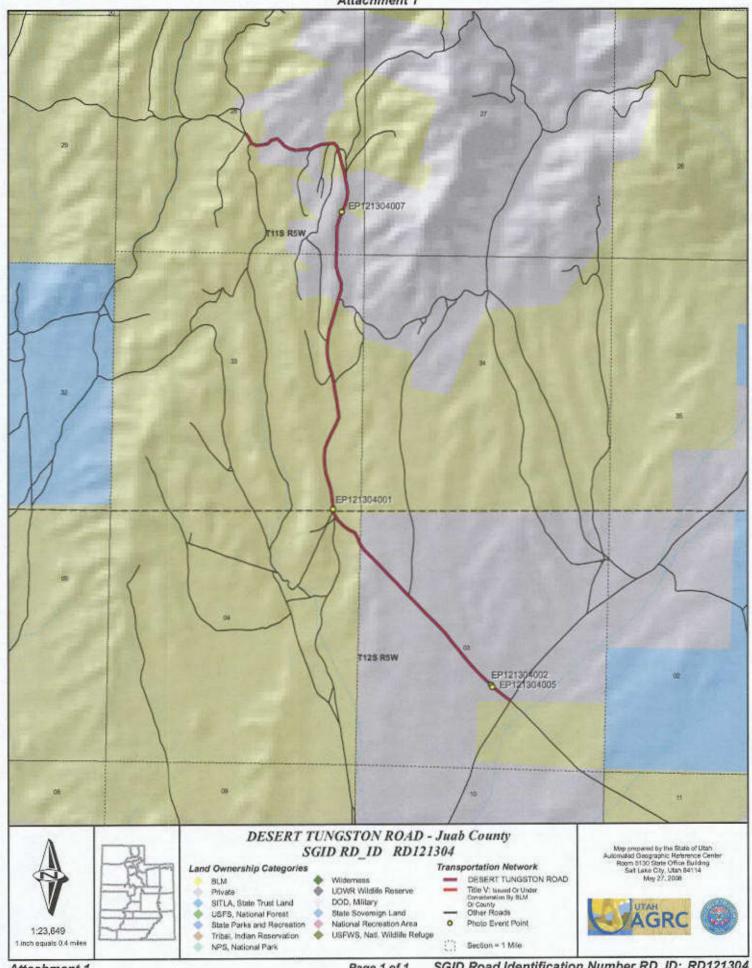
By the Governor's Designee

CERTIFICATION

State of Utah : \$5 County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further youched that, based upon information and belief, the facts alleged therein are true.

Notary Public













EP000000000



DESERT TUNGSTON ROAD - Juab County SGID RD_ID RD121304

Mup prepared by the State of Uten Automated Geographic Reference Center Rosen \$1.50 State Office Building Set Lake City, Uten \$4114 May 28, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: DESERT TUNGSTON ROAD

County: Juab

County Road Number: 5120301

State Geographic Information Database (SGID) Road Identification Number: RD121304.

Total Road Length: 3 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 48 minutes 20.65 seconds North Latitude and -112 degrees 23 minutes 31.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,389,791.2 feet and Y = 7,099,214.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 50 minutes 19.26 seconds North Latitude and -112 degrees 24 minutes 46.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,384,076.1 feet and Y = 7,111,273.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 South Range 5 West, Section(s) 28,33, Salt Lake Base & Meridian Township 12 South Range 5 West, Section(s) 3,4, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: DESERT TUNGSTON ROAD

County: Juab

County Road Number: 5120301

State Geographic Information Database (SGID) Road Identification Number: RD121304.

Total Road Length: 3 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD121304	001	PVT	0.88 Miles	(not shown)
RD121304	002	BLM	1.04 Miles	A
RD121304	003	PVT	0.39 Miles	(not shown)
RD121304	004	BLM	0.01 Miles	В
RD121304	005	PVT	0.12 Miles	(not shown)
RD121304	006	BLM	0.18 Miles	C
RD121304	007	PVT	0.29 Miles	(not shown)
RD121304	008	BLM	0.08 Miles	D
		Total Road Length	3	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF ROBERT STEELE DESERT TUNGSTON ROAD COUNTY ROAD NUMBER 5120301

JUAB COUNTY, UTAH

State of Utah)
	: ss.
County of Juah	1

ROBERT STEELE, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Juab County for 71 years. I was a Juab County Commissioner from 1999-2006.
- 2. I have traveled and am familiar with a road in Juab County known as Desert Tungston Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1942, it followed the same route as in 2007 when I last observed it. Attached is a Juab County map showing Desert Tungston Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
- 3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1942 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles, jeeps and ATV's. Throughout this

time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2007.

- 4. Throughout the time period from 1942 to 2007, I have used the road myself for hunting, mining, wood gathering, cedar post cutting, trapping and traveling in and through the area and prospecting for minerals.
- Throughout the time period described in the previous paragraph, I
 observed vehicles using the road at various times for the uses described in the previous
 paragraph, plus livestock operations, camping, rock hounding and government access.
- 6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- Prior to 1976, I observed graders performing maintenance and construction activities on the road.

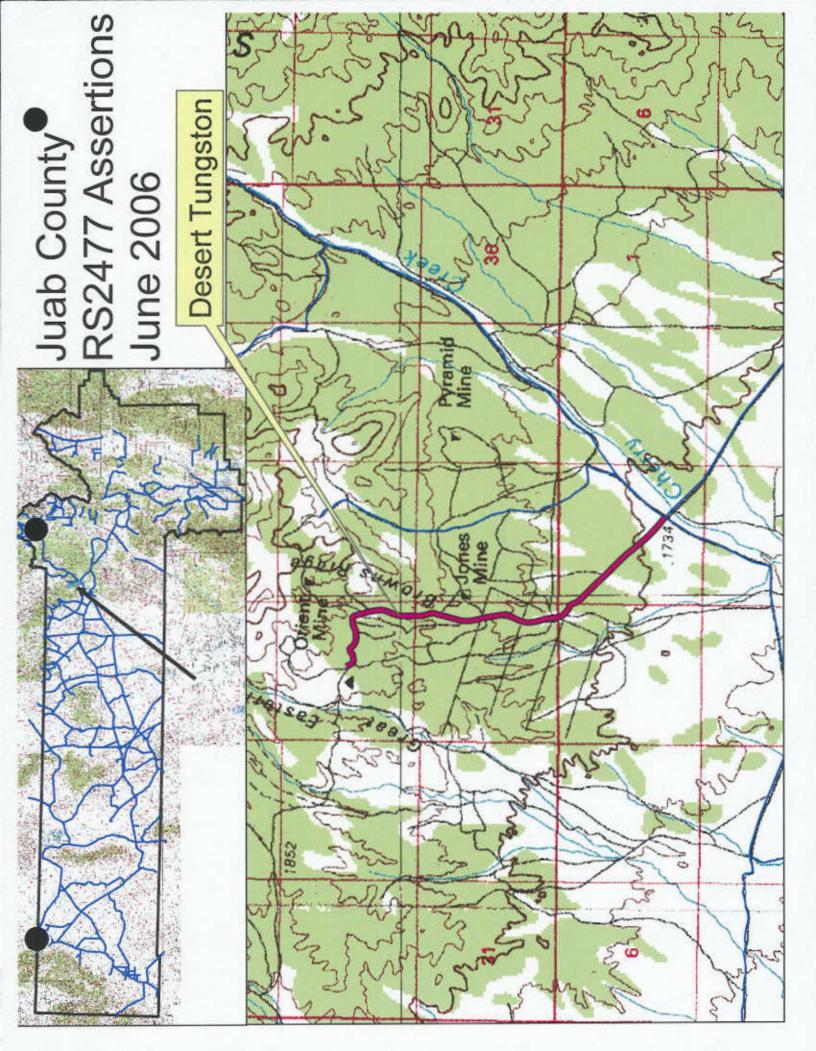
Dated this 5 day of June, 2007.

ROBERT STEELE

SUBSCRIBED AND SWORN to before me this 5th day of June, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Saft Lake City, UT \$4114-2477
My Commission Expires
October 10, 2008
State of Utah

Sloven Schrades NOTARY PUBLIC



AFFIDAVIT OF RON JONES DESERT TUNGSTON ROAD JUAB COUNTY, UTAH ROAD NUMBER 5120301

State of Utah)
	: SS.
County of Juab)

RON JONES, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Nephi, Juab County, Utah. I have lived in Juab
 County for 85 years. I was an employee of the Juab County Road Department for 38 years from
 1947 to 1987 and have participated in maintenance of county B roads during that time.
- 2. I have traveled and am familiar with a road in Juab County known as Desert Tungston Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 1997 when I last observed it. Attached is a Juab County map showing Desert Tungston Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1930s and continuing through 1976 to 1997. Throughout this time period I have observed travel on the road by means of cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road as been used daily for more than ten continuous years prior to 1976, and was so used in 1997.

- Throughout the time period from the late 1930s to 1997, I have used the road myself for county road maintenance, sight-seeing and travel in and through the area.
- 6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, hunting, rock hounding, trapping and recreation.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- Prior to 1976 I participated in grading and maintenance and construction activities on the road as a county road employee.

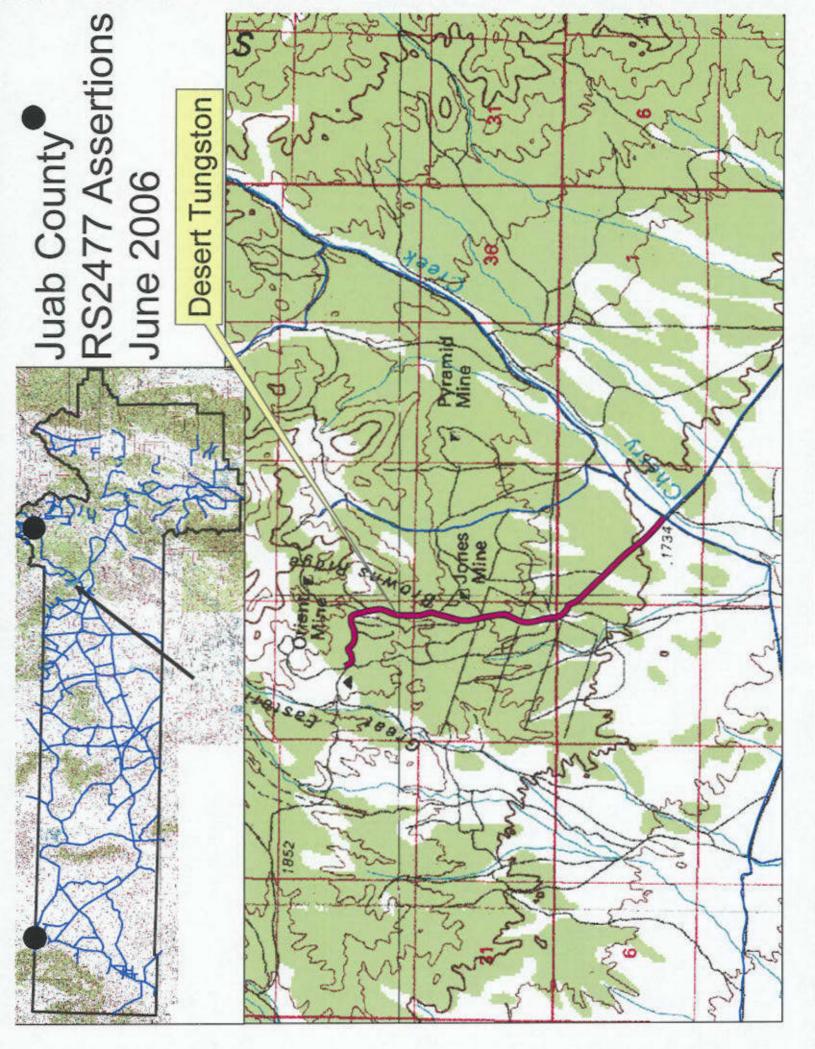
DATED this 5 day of June, 2007.

RON JONES

SUBSCRIBED AND SWORN to before me this 5th day of June, 2007.

Notary Public
GLORIA SCHRADER
51 to State Office Bldg.
Salt Lake City, UT 64114-2477
My Commission Expires
October 10, 2008
State of Utah

Schrade Schrade



Appendix A to Attachment 4

Popular Name: DESERT TUNGSTON ROAD

County: Juab

County Road Number: 5120301

State Geographic Information Database (SGID) Road Identification Number: RD121304.

Road-Segment Number: 002

Road-Segment Length: 1.04 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 South Range 5 West, Section(s) 33, Salt Lake Base & Meridian Township 12 South Range 5 West, Section(s) 4, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DESERT TUNGSTON ROAD)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 48 minutes 53.28 seconds North Latitude and -112 degrees 24 minutes 013.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,386,566.7 feet and Y = 7,102,548.2 feet; thence the following courses along the said road center line:

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thence North 35 Degrees 42 Minutes 53 Seconds West 6.1 feet thence North 19 Degrees 59 Minutes 58 Seconds West 148.1 feet thence North 29 Degrees 53 Minutes 39 Seconds West 123 feet thence North 68 Degrees 24 Minutes 35 Seconds West 128.4 feet thence North 54 Degrees 45 Minutes 13 Seconds West 152.9 feet thence North 44 Degrees 09 Minutes 48 Seconds West 172.4 feet thence North 29 Degrees 15 Minutes 24 Seconds West 124.1 feet thence North 29 Degrees 42 Minutes 15 Seconds West 38.8 feet thence North 12 Degrees 07 Minutes 59 Seconds West 51.3 feet thence North 10 Degrees 18 Minutes 18 Seconds West 4.7 feet
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thence North 10 Degrees 30 Minutes 34 Seconds West 30.6 feet
thence North 10 Degrees 37 Minutes 29 Seconds West 3.7 feet
thence North 09 Degrees 46 Minutes 56 Seconds West 6 feet
thence North 06 Degrees 17 Minutes 04 Seconds West 88.4 feet
thence North 06 Degrees 57 Minutes 38 Seconds West 158.9 feet
thence North 07 Degrees 50 Minutes 16 Seconds West 178.1 feet
thence North 17 Degrees 19 Minutes 49 Seconds West 179.5 feet
thence North 16 Degrees 52 Minutes 37 Seconds West 177.3 feet
thence North 09 Degrees 46 Minutes 56 Seconds West 175.6 feet
thence North 03 Degrees 38 Minutes 10 Seconds West 175.8 feet
thence North 07 Degrees 33 Minutes 58 Seconds East 174.6 feet
thence North 19 Degrees 54 Minutes 17 Seconds East 172.7 feet
thence North 25 Degrees 01 Minutes 51 Seconds East 180.1 feet
thence North 27 Degrees 25 Minutes 10 Seconds East 186.1 feet
thence North 21 Degrees 27 Minutes 43 Seconds East 181.3 feet
thence North 06 Degrees 58 Minutes 09 Seconds West 181.4 feet
thence North 08 Degrees 28 Minutes 41 Seconds West 189.6 feet
thence North 10 Degrees 34 Minutes 47 Seconds West 186.1 feet
thence North 08 Degrees 31 Minutes 21 Seconds West 184 feet
thence North 13 Degrees 07 Minutes 10 Seconds West 173.3 feet
thence North 15 Degrees 47 Minutes 02 Seconds West 150.1 feet
thence North 13 Degrees 11 Minutes 31 Seconds West 160.5 feet
thence North 10 Degrees 56 Minutes 23 Seconds West 154.9 feet
thence North 01 Degrees 07 Minutes 14 Seconds West 164.4 feet
thence North 05 Degrees 19 Minutes 58 Seconds East 163.2 feet
thence North 11 Degrees 00 Minutes 41 Seconds East 168.7 feet
thence North 15 Degrees 41 Minutes 56 Seconds East 174.8 feet
thence North 15 Degrees 56 Minutes 38 Seconds East 178.1 feet
thence North 15 Degrees 14 Minutes 50 Seconds East 184.6 feet
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thence North 15 Degrees 46 Minutes 22 Seconds East 71.6 feet more or less to **the ending point at:** 39 degrees 49 minutes 43.86 seconds North Latitude and -112 degrees 24 minutes 20.79 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,386,049.8 feet and Y = 7,107,671.6 feet.

Appendix B to Attachment 4

Popular Name: DESERT TUNGSTON ROAD

County: Juab

County Road Number: 5120301

State Geographic Information Database (SGID) Road Identification Number: RD121304.

Road-Segment Number: 004

Road-Segment Length: 0.01 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 South Range 5 West, Section(s) 28, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DESERT TUNGSTON ROAD)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 50 minutes 03.83 seconds North Latitude and -112 degrees 24 minutes 19.41 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,386,178.1 feet and Y = 7,109,690.2 feet; thence the following courses along the said road center line:

thence North 23 Degrees 04 Minutes 51 Seconds East 46.3 feet

thence North 17 Degrees 25 Minutes 14 Seconds East 19.7 feet more or less to **the ending point at:** 39 degrees 50 minutes 04.44 seconds North Latitude and -112 degrees 24 minutes 19.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,386,202.1 feet and Y = 7,109,751.6 feet.

Appendix C to Attachment 4

Popular Name: DESERT TUNGSTON ROAD

County: Juab

County Road Number: 5120301

State Geographic Information Database (SGID) Road Identification Number: RD121304.

Road-Segment Number: 006

Road-Segment Length: 0.18 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 South Range 5 West, Section(s) 28, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DESERT TUNGSTON ROAD)-- Segment 006 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 50 minutes 10.77 seconds North Latitude and -112 degrees 24 minutes 019.3 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,386,193.1 feet and Y = 7,110,392.9 feet; thence the following courses along the said road center line:

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thence North 08 Degrees 47 Minutes 21 Seconds West 88.7 feet thence North 19 Degrees 05 Minutes 09 Seconds West 143.8 feet thence North 12 Degrees 34 Minutes 28 Seconds West 148.4 feet thence North 16 Degrees 30 Minutes 34 Seconds West 127.1 feet thence North 18 Degrees 35 Minutes 26 Seconds West 72.2 feet thence North 18 Degrees 24 Minutes 14 Seconds West 33.8 feet thence North 42 Degrees 15 Minutes 14 Seconds West 104.1 feet thence South 87 Degrees 30 Minutes 03 Seconds West 120.8 feet
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thence South 82 Degrees 43 Minutes 14 Seconds West 99.7 feet more or less to **the ending point at:** 39 degrees 50 minutes 17.15 seconds North Latitude and -112 degrees 24 minutes 25.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet

coordinates of X = 1,385,740.8 feet and Y = 7,111,042.8 feet.

Appendix D to Attachment 4

Popular Name: DESERT TUNGSTON ROAD

County: Juab

County Road Number: 5120301

State Geographic Information Database (SGID) Road Identification Number: RD121304.

Road-Segment Number: 008

Road-Segment Length: 0.08 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 South Range 5 West, Section(s) 28, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DESERT TUNGSTON ROAD)-- Segment 008 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 50 minutes 16.74 seconds North Latitude and -112 degrees 24 minutes 42.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,384,362.1 feet and Y = 7,111,015.4 feet; thence the following courses along the said road center line:

thence South 82 Degrees 07 Minutes 17 Seconds West 57.6 feet thence North 64 Degrees 56 Minutes 56 Seconds West 105.7 feet thence North 66 Degrees 05 Minutes 33 Seconds West 7.2 feet thence North 25 Degrees 05 Minutes 13 Seconds West 154.3 feet

thence North 38 Degrees 03 Minutes 44 Seconds West 99.2 feet more or less to **the ending point at:** 39 degrees 50 minutes 19.26 seconds North Latitude and -112 degrees 24 minutes 46.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,384,076.1 feet and Y = 7,111,273.0 feet.